

**BEFORE THE PUBLIC SERVICE COMMISSION**

**OF THE STATE OF DELAWARE**

IN THE MATTER OF THE PETITION	)	
OF DIRECT ENERGY SERVICES, LLC	)	
TO REQUEST THE PUBLIC SERVICE	)	
COMMISSION TO ISSUE, ON AN EXPEDITED	)	
BASIS, AN ORDER DIRECTING DELMARVA	)	PSC DOCKET NO. 16-0744
POWER & LIGHT COMPANY TO DISTRIBUTE	)	
AN EDUCATIONAL BILL INSERT REGARDING	)	
THE OPTIONS AVAILABLE UNDER THE	)	
CONTRACT AWARDED BY THE STATE OF	)	
DELAWARE	)	
(FILED JUNE 30, 2016)	)	

**ORDER NO. 8922**

**AND NOW**, this 26<sup>th</sup> day of July, 2016, the Delaware Public Service Commission (the "Commission") determines and orders the following:

**WHEREAS**, on June 30, 2016, Direct Energy Services, LLC ("Direct Energy") filed a Petition with the Delaware Public Service Commission ("PSC" or "Commission") requesting, on an expedited basis, an order directing Delmarva Power & Light Company ("DP&L" or "Delmarva") to distribute a bill insert regarding retail energy choice options offered to Delmarva's customers by Direct Energy under a contract awarded by the State of Delaware, Department of State to Direct Energy; and

**WHEREAS**, Direct Energy is asking the Commission to order Delmarva to, on a one-time basis, include Direct Energy's proposed bill insert with Delmarva's bills issued to all of Delmarva's eligible residential and small commercial customers in Delmarva's Delaware territory, to be mailed by Delmarva and which, according to Direct Energy, will provide: (1) information on the ability to shop for an electric supplier; (2) assurances

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that a customer's distribution service will continue to be provided by Delmarva; (3) a summary of the Electricity Affordability Committee program; and (4) a description of the retail products along with the terms and conditions being offered by Direct Energy under the contract awarded by the State of Delaware, Department of State to Direct Energy; and

**WHEREAS**, Direct Energy has stated that it will pay for the inserts and the incremental costs of mailing these inserts so that neither Delmarva nor its ratepayers will bear the costs; and

**WHEREAS**, the Commission is opening this docket to solicit written comments and/or intervention from interested persons for the Commission's consideration of the Petition, and will hear this matter directly at its regularly scheduled meeting on September 20, 2016;

**THEREFORE, BY THE AFFIRMATIVE VOTE OF NOT FEWER THAN THREE COMMISSIONERS, IT IS ORDERED THAT:**

1. This docket is opened for the Commission's consideration of the Petition of Direct Energy Services, LLC.

2. Interested persons or entities may submit written comments or objections to the Petition by filing such comments with the Commission **on or before August 31, 2016**. These comments should be filed in the Commission's Delafile system at <https://delafile.delaware.gov/>.

3. Pursuant to 26 Del. Admin. C. §1001-2.9, the deadline for filing Petitions for Intervention shall be August 31, 2016. Petitions for Intervention filed after August 31, 2016 will not be considered except for

good cause. Petitions for Intervention must also be served on Direct Energy Services, LLC through its legal counsel, Tara L. Lattomus, Esq., Eckert Seamans Cherin & Mellott, LLC, 222 Delaware Avenue, 7<sup>th</sup> Floor, Wilmington, Delaware 19801, and on the Division of the Public Advocate through its legal counsel, Regina A. Iorii, Esq., Deputy Attorney General, Carvel State Office Building, 6th Floor, 820 North French Street, Wilmington, Delaware 19801.

4. A public notice of this Petition containing the deadline for comments and intervention will be published by Commission Staff in the *News Journal* and the *Delaware State News* on or about July 28, 2016 and copies of the Public Notice will be sent by Commission Staff by mail to all Delaware certificated electric suppliers. The Public Notice will notify interested persons that this matter will be heard directly before the Commission on September 20, 2016.

5. Direct Energy is hereby advised that it will be charged with, and be required to pay, all costs incurred by the Commission Staff and the Division of the Public Advocate related to this proceeding, pursuant to 26 *Del. C.* §§114(b)(1) and 1012(c)(2).

6. The Commission reserves the jurisdiction and authority to enter such other or further Orders in this matter as may be deemed necessary or proper.

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**BY ORDER OF THE COMMISSION:**

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Chair

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Commissioner

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Commissioner

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Commissioner

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Commissioner

ATTEST:

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Secretary

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(FILED JUNE 30, 2016)	)	

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**PUBLIC NOTICE OF PETITION OF DIRECT ENERGY SERVICES, LLC REQUESTING THE  
COMMISSION TO DIRECT DELMARVA POWER & LIGHT COMPANY  
TO DISTRIBUTE AN INSERT IN ITS BILLING AND OF COMMISSION HEARING ON THE  
PETITION TO BE HELD SEPTEMBER 20, 2016**

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On June 30, 2016, Direct Energy Services, LLC ("Direct Energy") filed a Petition with the Delaware Public Service Commission ("PSC" or "Commission") requesting, on an expedited basis, an order directing Delmarva Power & Light Company ("DP&L" or "Delmarva") to distribute a bill insert regarding the options available under the contract awarded by the State of Delaware, Department of State to Direct Energy. Direct Energy is asking the Commission to order Delmarva to include with the bills of all eligible Delmarva residential and small commercial customers a one-time bill insert that, according to Direct Energy, will provide: (1) information on customers' ability to shop for an electric supplier;; (2) assurances that a customer's distribution service will continue to be provided by Delmarva; (3) a summary of the Electricity Affordability Committee program; and (4) a description of the retail products along with the terms and

conditions being offered by Direct Energy under the contract awarded by the State of Delaware, Department of State to Direct Energy. Direct Energy has stated that it will pay for the inserts and the incremental costs of mailing these inserts so that Delmarva and its ratepayers will not bear the costs.

The Commission is opening this docket to solicit written comments and intervention from interested persons for the Commission's consideration of the Petition.

Interested persons or entities may file written comments and/or objections to the Petition. Written comments should be submitted electronically by filing in the Commission's Delafile System at <https://delafire.delaware.gov/>. Such written comments or objections must be filed with the Commission **on or before August 31, 2016**. If you are unable to file electronically, then written comments may be sent to the Commission at the following address:

Public Service Commission  
861 Silver Lake Blvd.  
Cannon Bldg., Suite 100  
Dover, DE 19904  
**Attn: PSC Docket No. 16-0744**

The Commission will hold a hearing on the Petition during its regularly scheduled meeting at its Dover Office at the address above on September 20, 2016 starting at 1:00 pm.

If you wish to formally participate as a party in this matter with the right to present evidence at the September 20, 2016 hearing, you must file with the Commission a written petition requesting leave to intervene ("Petitions for Intervention") in accordance with the requirements of 26 Del. Admin. C. §1001-2.9 of the Commission's Rules of Practice and Procedure

**on or before Wednesday, August 31, 2016.** Petitions for Intervention received after August 31, 2016 will not be considered except for good cause. Copies of all Petitions for Intervention and any related documents must also be sent to Direct Energy Services, LLC through its legal counsel, Tara L. Lattomus, Esq., Eckert Seamans Cherin & Mellott, LLC, 222 Delaware Avenue, 7<sup>th</sup> Floor, Wilmington, Delaware 19801, and to the Division of the Public Advocate through its legal counsel, Regina A. Iorii, Esq., Deputy Attorney General, Carvel State Office Building, 6th Floor, 820 North French Street, Wilmington, Delaware 19801.

You are invited to review the Petition and supporting documents to determine whether your interests may be affected. You may review the Petition and supporting material in person at the Commission's Dover office, on the Commission's website at <http://depsec.delaware.gov/electric.shtml> or in the Commission's Delafile system at <https://delafire.delaware.gov/>. You may also review the Petition and supporting documents at the office of the Division of the Public Advocate located at 29 South State Street, Dover, Delaware 19901 or the Carvel State Office Building, 4th Floor, 820 North French Street, Wilmington, Delaware 19801. Please call (302) 241-2545 (Dover) or (302) 577-5077 (Wilmington) to arrange a time to review the documents at the selected location.

If you have a disability and wish to participate or to review the materials in this matter, please contact the Commission to discuss any auxiliary aids or services you might need to help you. You may contact the Commission in person, by writing, by telephone (including text telephone) or by e-mail.

If you have questions about this matter, you may call the Commission at 1-800-282-8574 (toll-free in Delaware) or (302) 736-7500 (voice and text telephone). You may also send questions regarding this matter by e-mail addressed to [connie.mcdowell@state.de.us](mailto:connie.mcdowell@state.de.us) and include "PSC Docket No. 16-0744" in the subject line.